

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 22-00118-01

VERSUS

JUDGE S. MAURICE HICKS, JR.

SANTANA POWELL

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

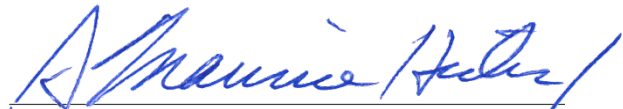
Before the Court is Defendant Santana Powell's ("Powell") Leave to File Untimely Motion. See Record Document 25. The motion deadline in the instant matter was September 26, 2022. See Record Document 16. Powell now seeks leave to file a Motion to Dismiss or Suppress Due to Lack of Video Evidence. See Record Document 25-1. The motion is attached as Exhibit A to Powell's motion for leave. See id. Powell argues there are contrasting stories underlying the charges against him and had the officer's vehicle been equipped with a dash-cam video or the officer equipped with a body camera, "the truth would be known." Id. at 3. Powell contends that the lack of such equipment violated his constitutional rights and either the charges against him should be dismissed or the evidence suppressed. See id.

The Motion for Leave to File an Out of Time Motion (Record Document 25) is **GRANTED**. However, the substantive Motion to Dismiss or Suppress Due to Lack of Video Evidence (Record Document 25-1) – which this Court has reviewed – is **DENIED**. There are many law enforcement agencies nationwide which do not, for myriad reasons, equip their officers or vehicles with cameras. The lack of a camera system to record every interaction with a citizen or suspect is not a constitutional or statutory violation.

Accordingly, while the Motion for Leave is **GRANTED**, the substantive Motion to Dismiss or Suppress Due to Lack of Video Evidence is **DENIED**.

IT IS SO ORDERED.

THUS DONE AND SIGNED, in Shreveport, Louisiana, this 16th day of December, 2022.



S. MAURICE HICKS, JR., DISTRICT JUDGE
UNITED STATES DISTRICT COURT